

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Derrick Jones, Jerome Jones, and Darnell  
Rusan,

PLAINTIFFS,

v.

City of St. Louis, *et al.*,

DEFENDANTS.

Cause No. 4:21-cv-600-HEA

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**DEFENDANTS' MOTION TO EXTEND TIME TO REPLY TO PLAINTIFFS'**  
**MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT**

Come now Defendants City of St. Louis, Direll Alexander, Javon Fowlkes, Aisha Turner and Michelle Lewis, and respectfully request that the Court grant them additional time to file their response to Plaintiff's Motion for Leave to File Second Amended Complaint (ECF Doc. #69):

1. Plaintiffs filed their Motion for Leave to File Second Amended Complaint (ECF Doc. #69) on March 15, 2022.
2. Plaintiffs' proposed Second Amended Complaint includes significant alterations to the First Amended Complaint as described by Plaintiffs: "Plaintiffs seek to amend the allegations previously brought as individual injunctive claims into class-wide causes of action. Plaintiffs also seek to identify Bruce Borders and Sherry Richard as the John Doe 2 and Jane Doe Defendants; voluntarily drop their claims against Defendant Lewis and amend certain facts for clarity and in accordance with dropping claims against Defendant Lewis; add Marrell Withers as a named plaintiff and representative for the putative class and proposed medical subclass; and add Correctional Officers Willis and Jones as Defendants." (ECF Doc. # 69, para. 6).
3. Due to the consequence of Plaintiffs' proposed alterations, requiring substantial

research and briefing, especially as relates to Plaintiffs' attempt to transform the prior lawsuit into a class action, and the inclusion of an entirely new Plaintiff alleging elaborate and individualized claims against different officers, Defendants request additional time to file their response in opposition to this Court granting leave to amend, or in the alternative, an extension lasting until the Court has ruled on the pending Motion for Severance and/or Bifurcation (ECF Doc. # 48), as the issues raised in that Motion intersect with Defendants' anticipated arguments in opposition to granting leave to amend.

4. Defendants request, therefore, that their response in opposition be due by April 12, 2022, or alternatively, after the Court has ruled on the pending Motion for Severance and/or Bifurcation (ECF Doc. # 48).

5. Counsel for Plaintiffs do not consent to Defendants' proposed extension.

WHEREFORE, Defendants City of St. Louis, Direll Alexander, Javon Fowlkes, Aisha Turner and Michelle Lewis respectfully ask that this Court grant their motion to extend the time to file their response in opposition to Plaintiffs' Motion for Leave to File Second Amended Complaint, making such response due either on April 12, 2022, or after the Court rules on the pending Motion for Severance and/or Bifurcation (ECF Doc. #48).

Respectfully submitted,  
SHEENA HAMILTON,  
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